# United States Court of Appeals
## For the Eighth Circuit

---

No. 16-1002

---

United States of America

*Plaintiff - Appellee*

v.

Robert E. Allen, also known as Richard Eugene Allen

*Defendant - Appellant*

---

Appeal from United States District Court
for the Western District of Missouri - Joplin

---

Submitted: April 21, 2016
Filed: April 25, 2016
[Unpublished]

---

Before LOKEN, BYE, and KELLY, Circuit Judges.

---

PER CURIAM.

Robert Allen directly appeals after the district court[1] revoked his supervised release and sentenced him to 18 months in prison plus 3 additional years of supervised release. His counsel has moved for leave to withdraw, and has filed a brief challenging the reasonableness of Allen's revocation sentence. Allen has submitted multiple pro se filings, suggesting (1) that he received ineffective assistance of counsel, (2) that the court should have recused sua sponte, (3) that he should have been granted a continuance during the revocation hearing, and (4) that the district court's revocation decision was unfounded.

---

[1]The Honorable Brian C. Wimes, United States District Judge for the Western District of Missouri.

Upon careful review, we conclude that Allen's revocation sentence is not unreasonable. See United States v. Petreikis, 551 F.3d 822, 824 (8th Cir. 2009). As to Allen's pro se assertions, we first decline to consider his ineffective-assistance claims on direct appeal. See United States v. Hughes, 330 F.3d 1068, 1069 (8th Cir. 2003). Second, Allen's claim that the district court should have recused is without merit. Third, we note there was no counseled motion for a continuance. See Abdullah v. United States, 240 F.3d 683, 686 (8th Cir. 2001). Fourth, we conclude that the district court's revocation decision was not clearly erroneous, as it was supported by testimony at the revocation hearing. See United States v. Black Bear, 542 F.3d 249, 252 (8th Cir. 2008) (clear-error review); see also United States v. Perkins, 526 F.3d 1107, 1109 (8th Cir. 2008).

The judgment is affirmed, and we grant counsel leave to withdraw. Allen's pending pro se motions are denied as moot.

______________________________

Case 3:10-cr-05036-BCW Document 89 Filed 04/26/16 Page 2 of 2
Appellate Case: 16-1002 Page: 2 Date Filed: 04/25/2016 Entry ID: 4391569